

particular interest and approach their counterparts in Moscow to indicate that the United States is very, very concerned about this situation, that we are watching it, that they are not going to be able to do this behind closed doors and get away with it. They are not used to public hearings in Russia and they are scared to go public on this.

It is very, very important that Captain Nikitin's case be recognized by our Department of State as something that Members of this Congress are very, very concerned about, and I call on other Members to acquaint themselves with the circumstances.

The gentleman from Pennsylvania (Mr. WELDON) is well aware of it, as I said. He is unable to be with us today to discuss the situation further. But I can assure you, Mr. Speaker, and I assure the other Members, this is not the last time that I will be on this floor, nor that individuals like the gentleman from Pennsylvania (Mr. WELDON) will be here.

Let me conclude by indicating to that on a recent Congressional delegation trip to Russia, the gentleman from Missouri (Mr. SKELTON) as the ranking Democrat on the Committee on Armed Services led a delegation of individuals from the Congress there, and we met with Captain Nikitin.

We can provide you information, Mr. Speaker, on the case in more detail, but we just want to alert you and alert the State Department today that we expect to have this case front and center in the consciences of everyone who is concerned about the environmental degradation taking place in Russia today as a result of the deterioration of the nuclear submarines that are presently being mothballed.

Mr. Speaker, I insert the following for the RECORD:

DR. CARAWAY: As you know the Supreme Court will hear the Nikitin appeal on Thursday. The verdict should be announced the same day. We will see then.

Unfortunately, the hearing will take place behind closed doors, somewhat incomprehensible given that the hearing is not about the secrecy question, but about procedural issues.

Yours,

THOMAS JANDL,
Director, Bellona USA.

NIKITIN SUPREME COURT SESSION BEHIND
CLOSED DOORS

The Supreme Court session in the Nikitin case on 4 February will be held behind closed doors. The presiding judge, a member of an officially abolished department within the Supreme Court Council for the Criminal Cases, made the decision in fear that state secrets might be released.

The Nikitin case will be tried by the Council for the Criminal Cases of the Supreme Court. Many former Soviet dissidents associate this particular council with the dark times of KGB rule back in the Soviet past. The Council used to have a special department supervised by the KGB and responsible for the handling of crimes against the state. The special department was officially abol-

ished as the 'wind of democracy' swept across the former Soviet Union, but its membership remained intact.

"The judges in the Council have been sitting there for as long as I can recall," says Yuriy Schmidt, defender of Aleksandr Nikitin and former Soviet dissident. "They are not used to open hearings, they are scared to go public," adds Schmidt.

The court will not consider the merits of the case, but rather evaluate the legality of the 29 October 1998 St. Petersburg City Court ruling to send the case back for further investigation.

No legal grounds to have closed session.

"The only legal reference they can find to justify the closed door hearings is the fact that the case formally deals with so-called state secrets," says Yuriy Schmidt. "But the court's task is not to go to the substance of the case, but rather evaluate the legal side of it. What secrets could this constitute," asks Schmidt rhetorically. According to Schmidt, there were quite solid grounds to have the court session behind closed doors in the St. Petersburg City Court as the court was examining the alleged secret material. A substantial part remained open to the public.

"To have the Supreme Court session closed can either be explained by the pressure from the FSB (successor to the KGB) or by the initiative of a KGB-trained judge", says Schmidt.

THE JUDGE'S DECISION

When approached for comments Supreme Court press spokesman Nikolay Gastello said the decision was taken by the presiding judge, Magomed A. Karimov. Gastello could neither comment on the motives of the judge nor say if the judge would change his mind.

"It was not an unexpected decision," says Aleksandr Nikitin, who arrived in Moscow today. "The FSB is there and does whatever it can to win the case."

THE NIKITIN CASE

Aleksandr Nikitin is charged with espionage and disclosure of state secrets while working for the Bellona Foundation. He was arrested by the FSB on 6 February 1996, after writing two chapters of a Bellona report on the risks of radioactive pollution from Russia's Northern Fleet. Jailed for 10 months following his arrest, Nikitin has since been restricted to the city limits of St. Petersburg. His case was then tried in St. Petersburg City Court between October 20 and 29, 1998. The St. Petersburg judge's decision to return the case to further investigation was appealed by both the prosecutor and the defence. Their respective appeals are to be heard in the Supreme Court on 4 February 1999.

Contacts in Moscow: Frederic Hauge and Thomas Nilsen.

Contacts in Oslo: Bellona Main Office.

Contacts in Washington: Thomas Jandl.

More info: <http://www.bellona.no/e/russia/nikitin/mailto:info@bellona.no>

COMMUNICATION FROM STAFF
MEMBER OF HONORABLE JIM
MCCRERY, MEMBER OF CON-
GRESS

The SPEAKER pro tempore laid before the House the following communication from Sally Asseff, staff member of the Honorable JIM MCCRERY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,
*Speaker, U.S. House of Representatives, Wash-
ington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a grand jury subpoena for documents issued by the U.S. District Court for the Western District of Louisiana.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SALLY ASSEFF.

APPOINTMENT OF MEMBERS TO
HOUSE COMMISSION ON CON-
GRESSIONAL MAILING STAND-
ARDS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5(b) of Public Law 93-191, the Chair announces the Speaker's appointment of the following Members of the House to the House Commission on Congressional Mailing Standards:

Mr. THOMAS of California, Chairman;

Mr. BOEHNER of Ohio;

Mr. NEY of Ohio;

Mr. HOYER of Maryland;

Mr. CLAY of Missouri; and

Mr. FROST of Texas.

There was no objection.

MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I want to talk to my colleagues today about managed care reform, an issue that we must take from the drawing board to the signing ceremony this year.

Last year I joined with my friend, the gentleman from Michigan (Mr. DINGELL), and offered the Patients' Bill of Rights as an amendment on the House floor. While I regret that it did not pass, there may have been at least one good thing about that. In the last few weeks, many HMOs have announced double digit premium increases, because, in my opinion they have not done such a great job in cost containment and their premiums have been loss leaders for years. But you can be sure that if the Patients' Bill of Rights had passed last year, they would be blaming us now for their skyrocketing premiums.

□ 1330

And by the way, how many of their CEOs are taking pay cuts from their multimillion dollar salaries as they are raising their premiums this year?

Mr. Speaker, before discussing how I think Congress will deal with this issue